

Remarks

I. Introduction

This is in response to the Office Action dated September 24, 2007.

Claims 1, 6, 16, 18-21, 24, 25, 27-29, 32, 33, 37, 39, and 41 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,956,573 (Bergen) in view of U.S. Patent No. 6,810,526 (Menard). Claims 2-5, 10-15, 22, 26, 34-36, and 40 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard and further in view of U.S. Patent No. 6,961,954 (Maybury). Claims 9, 30, and 43 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard and further in view of U.S. Patent Publication No. 2002/0152477 (Goodman). Claim 17 was rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard and further in view of U.S. Patent Publication No. 2001/0013123 (Freeman). Claim 38 was rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard and further in view of U.S. Patent No. 5,805,763 (Lawler). Claims 42 and 44 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard and further in view of U.S. Patent Publication No. 2000/0076378 (Omoigui). Claim 45 was rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard and Omoigui and further in view of U.S. Patent No. 6,289,346 (Milewski).

In response, Applicants amend claims 1 and 33 and cancel claims 5 and 35. Claims 7, 8, 31, 46, 47, 48, 49, and 50-51 were canceled in a previously filed Amendment. Claims 1-4, 6, 9-30, 32-34, and 36-45 remain for consideration. In response to the finality of this Office Action, Applicants are filing herewith a Request for Continued Examination.

II. Rejections under 35 U.S.C. §103

Claims 1, 6, 16, 18-21, 24, 25, 27-29, 32, 33, 37, 39, and 41 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard. Claims 2-5, 10-15, 22, 26, 34-36, and 40 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard and further in view of

Maybury. Claims 9, 30, and 43 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard and further in view of Goodman. Claim 17 was rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard and further in view of Freeman. Claim 38 was rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard and further in view of Lawler. Claims 42 and 44 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard and further in view of Omoigui.

Applicants respectfully submit that the cited references, either alone or in combination, do not disclose all of the claimed limitations. As a result, Applicants submit that the claims are patentable over the cited references.

Amended independent claim 1 claims the limitations of:

calculating segments of the video assets, the segments comprising the corresponding portions and portions adjacent to the corresponding portions, where the adjacent portions are relevant to the corresponding portions and the user criterion;

combining the segments within the video assets into a customized video presentation;

Amended independent claim 1 claims that segments within video assets are combined into a single customized video presentation and further that the segments include portions corresponding to a user criterion and portions adjacent to the corresponding portions.

The Office Action refers to col. 10, lines 31-53, col. 15, lines 15 and 58-67, col. 15, lines 1-6, and Fig. 8, 870 of Bergen and col. 4, lines 27-57 and col. 5, lines 20-35 of Menard as disclosing these two limitations. Bergen, however, does not disclose combining segments of video assets into a customized video presentation. In particular, Bergen does not disclose combining segments of multiple video assets, or video streams, into a customized video presentation. Instead, Bergen discloses calculating attributes and enabling "scenes" or "segments" of a video program to be associated or grouped with one another if they share one or more attributes. (Bergen, col. 10, lines 42-45). Bergen does

not disclose combining together segments of multiple video assets into a customized video presentation, as is claimed in amended claim 1.

Menard does not cure the deficiencies of Bergen. In particular, Menard discloses storing a video segment having a word match, the segment previous to the video segment, and the segment following the video segment in col. 5, lines 32 – 35. Menard does not disclose combining or stitching together segments of multiple video assets. Instead, Menard is focused on a video segment and its surrounding segments as long as the video segment has a match to a search word. Menard does not disclose combining or stitching together segments of multiple video assets into a customized video presentation, as is claimed in amended claim 1.

Further, amended independent claim 1 also claims the limitation of:

periodically notifying the user that the customized video presentation is available for access from a remote location.

The Office Action states that Bergen is silent on “periodically notifying the user that the customized video presentation is available for access from a remote location” and relies on Menard to cure the deficiencies of Bergen.

Menard, however, does not disclose the claimed limitation of periodically notifying the user that the customized video presentation is available for access from a remote location, as claimed in independent claim 1.

The Office Action states that Menard discloses this limitation at Fig. 3, col. 4, lines 27-62, and col. 5, lines 20-36. Fig. 3 and these related passages of Menard disclose obtaining a user profile search (step 32 of Fig. 3), determining whether the user profile search contains a word that matches a word in a text stream obtained from a video signal (step 33 of Fig. 3, col. 3, line 65 – col. 4, line 53), and notifying the user associated with the current user profile that a match has occurred (step 34 of Fig. 3, col. 4, lines 53 – 57). After the notification, it is determined whether there are additional user profile searches and, if so, the process repeats (step 35 of Fig. 3, col. 4, lines 58 – 62).

As shown in Fig. 3 and the related text of Menard, Menard's operation discloses notifying the user that a word match between a user profile search and

a text stream associated with a broadcast has occurred. In particular and following the steps of Menard's Fig. 3, if a user profile search contains a word that matches a text stream word, Menard notifies the user associated with the current user profile that a match has occurred (Menard's step 34 of Fig. 3). Menard then goes to step 35 and, if there are more user profile searches, returns to steps 32 and 33 to determine if the next user profile search contains a word matching the text stream word. If the user profile search does not contain a word matching the text stream word, and if there are no more user profile searches, then the process returns to step 30 or 31, depending on whether there is additional text in the text stream (Menard's step 37).

Thus, Menard notifies a user when a word match has occurred between a user profile search word and a text stream word in step 34. For example, if there is a word match at the start of Menard's text stream and another word match at the end of Menard's text stream, then Menard notifies the user at the start of the text stream and at the end of the text stream. The time between these notifications may be long and depends on the length of the text stream.

Claim 1, however, states periodically notifying the user that a customized video presentation is available for access from a remote location. Menard does not disclose this limitation because, first, Menard does not disclose the periodic aspect of the notification and, second, because Menard does not disclose a notification that a customized video presentation is available for access from a remote location.

Specifically, Menard's notification occurs when there is a word match and not periodically. Thus, in the example above, Menard notifies the user twice during the time period associated with Menard's text stream – at the beginning of Menard's text stream and at the end of Menard's text stream – because those are the two times at which there are word matches. Applicants' invention, however, may notify the user multiple (i.e., more than two) times during the same time period. The number of times that a notification is sent out during this time period in Applicants' invention depends on the period of the notifications.

Also, with respect to the second point, Menard does not disclose a notification that a customized video presentation is available for access from a remote location. Instead, Menard discloses notifying a user in step 34 when a word match has occurred. Specifically, in col. 4, lines 55-57, Menard states "sending a message identifying the source of the program material so that the user can view or record the material of interest." As described above, Menard does not disclose a customized video presentation formed from the combination of multiple video segments from multiple video assets. Instead, Menard's message identifies the "source of the program material." Therefore, Applicants respectfully submit that claim 1 is allowable over the cited references, either alone or in combination.

Independent claims 21 and 33 claim similar limitations and are allowable for the same reasons as discussed above. Therefore, independent claims 1, 21 and 33 are allowable over the cited art.

Allowance of the independent claims is requested. The remaining claims are dependent upon an allowable independent claim and are therefore also allowable.

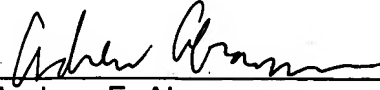
III. No New Matter Has Been Added

The amendments to claims 1 and 33 do not add new matter. Support for the claim amendments are shown throughout the Specification and at least in paragraphs [0023], [0026], [0027], [0056], and [0058], and the Abstract.

IV. Conclusion

For the reasons discussed above, all pending claims are allowable over the cited art. Reconsideration and allowance of all claims is respectfully requested.

Respectfully submitted,



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